

68  
CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

JAN 06 1987

Mr. V. R. Patil  
Director, Industrial Engineering  
Wickes Manufacturing Company  
P.O. Box 999  
Southfield, Michigan 48037

RE: Eagle Signal Controls Division  
Davenport, Iowa  
EPA ID #IAD051001337



Dear Mr. Patil:

As requested by you and your consultant, Mr. Nicholas Andrianas with Eder Associates, during telephone conversations with Luetta Flournoy of my staff on November 25 and 26, 1986, the following information and discussion on the regulatory status of Eagle Signal is being provided. A brief chronology of the closure process for this facility follows.

- ° July 27, 1984 - Eder Associates provides a closure plan for Eagle Signal to the Iowa Department of Water, Air and Waste Management (IDWAWM).
- ° August 27, 1984 - Mr. R. W. Kleners, Vice President - Controller and Treasurer of Gulf and Western Manufacturing Company certifies to IDWAWM that closure has been completed as described in the closure plan.
- ° August 30, 1984 - IDWAWM conducts a closure inspection.
- ° November 8, 1984 - the President of the United States signs the Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA).
- ° February 28, 1985 - IDWAWM provides the following to EPA Region VII.
  1. The original closure plan
  2. Amendments to the closure plan prepared by IDWAWM
  3. Waiver of IDWAWM's right to public notice the closure plan
  4. Request that EPA begin the process to terminate interim status
- ° July 1, 1985 - IDWAWM voluntarily returns the Phase I Hazardous Waste Management Program to EPA.

WSTM:RCRA:IOWA:HERSTOWSKI:ch:x671:12/24/86:sb:12-29

Disk 22/51

IOWA  
HERSTOWSKI

IOWA

RCRA

WSTM

VH 12/29/86

FLOURNOY  
12/29/86

SANDERSON  
DO/FOR MIT  
12/30/86

WAGNER  
12/29/86



- ° October 22, 1985 - EPA requests information on Solid Waste Management Units (SWMUs) as a result of HSWA and an acknowledgement and waiver which was needed to continue with interim status termination.
- ° November 6, 1985 - Eagle Signal provides the requested information.
- ° March 5, 1986 - EPA sends you a letter announcing our tentative decision to terminate interim status.
- ° March 11, 1986 - The public comment period for this tentative decision begins.
- ° April 26, 1986 - The public comment period ends.

Prior to our issuing the final decision to terminate interim status, we received guidance from EPA Headquarters that EPA should not terminate interim status for a facility until an investigation of SWMUs had been completed and a determination made that there were no releases that required corrective action. Without this information, we have not terminated interim status for any facility, including Eagle Signal. It was unfortunate that Eagle Signal became subject to the policy just prior to final termination of interim status.

As Luetta Flourney discussed with you on November 26, 1986, the following options are available to Eagle Signal.

1. Continue to maintain interim status until EPA conducts potential releases from any SWMUs at Eagle Signal. Since we must give priority to those facilities with known or potential environmental significance such as land disposal facilities, we are unable to estimate at what date resources would be available for a RCRA Facility Assessment (RFA) at your facility.
2. Eagle Signal could voluntarily conduct an investigation equivalent to an RFA. If such an investigation adequately demonstrated that either there were no SWMUs or there were no releases requiring corrective action, EPA would then proceed with final termination of interim status. Enclosed for your information is an RFA guidance document which discusses what is involved in an RFA.

We would also at this time like to discuss several concerns that we have regarding the closure plan for Eagle Signal. First, the closure plan did not specify a closure performance standard that must be achieved. As your facility was only to have stored listed hazardous wastes, the standard should be background contaminant levels, unless a site-specific risk assessment justifies a higher level. At this time, we have insufficient information on exactly what, if any, cleanup levels were utilized and whether or not there was any testing to confirm that those levels were achieved. We request that you provide all available analytical data and other information regarding this matter. Second, we have not received a certification of closure from an



independent registered professional engineer (P.E.) in accordance with 40 CFR 265.115. Please provide such a certification for our records. Third, information is requested regarding the stains identified during both the February 29, 1984 and August 30, 1984 inspections by IDWAMM and any cleanup or decontamination of these areas. After receipt of these items, we will review the documentation and determine whether or not closure requirements in 40 CFR Part 265 have been adequately met. If so, we will release Eagle Signal from the financial assurance requirements as per 40 CFR 265.143(h) at that time.

Lastly, you stated that you had received a draft letter from EPA granting final termination of interim status. We are unaware of any such letter and would appreciate receiving a copy. We did send you a March 5, 1986 letter, copy enclosed, which announced our tentative decision to terminate interim status and the public comment period. Please note that the enclosed copy is a file duplicate and therefore doesn't include my original signature. You also alleged that you had received unsigned original letters from EPA. Again, we would appreciate receiving copies of these documents since it is definitely not EPA practice.

In conclusion, we request that you review the two RFA options outlined previously and let us know which option Eagle Signal prefers. In addition, we request that you provide the additional information on closure activities and the P.E. certification within 45 days of the date of this letter. Please contact us if additional time is needed to gather this information.

If you have any questions or comments regarding this matter, please contact Luetta Flournoy at 913/236-2887.

Sincerely yours,

David A. Wagoner  
Director, Waste Management Division

Enclosures

cc: Pete Hamlin, IDNR  
Nickolas Andrianas,  
Eder Associates

POB H  
Locust Valley NY 11560





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
726 MINNESOTA AVENUE  
KANSAS CITY, KANSAS 66101

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FOR

David A. Wagoner  
Director, Waste Management Division

Enclosures

cc: Pete Hamlin, IDNR  
Nickolas Andrianas,  
Eder Associates

P 300 110 110

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

★ U.S.G.P.O. 1985-480-794

Sent to

Mr. Patil

Street and No.

Director, Industrial Engineer

Wickes Manufacturing Company

P.O., State and ZIP Code

P.O. Box 999

Postage

Southfield, Michigan \$ 48037

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt showing  
to whom and Date Delivered

Return Receipt showing to whom,  
Date, and Address of Delivery

TOTAL Postage and Fees

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Postmark or Date

JAN 06 1987

PS Form 3800, June 1985

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